

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AQUARIAN FOUNDATION,

Plaintiff,

v.

BRUCE KIMBERLY LOWNDES,

Defendant.

Case No. C19-1879RSM

ORDER RE: PLAINTIFF'S MOTIONS IN
LIMINE

This matter comes before the Court on Plaintiff Aquarian Foundation's Motions in Limine, Dkt. #221. For the reasons below, these Motions are GRANTED, DENIED, and DEFERRED as stated below.

1. Aquarian moves to exclude discussions of settlement pursuant to FRE 408. Defendant agrees. GRANTED.
2. Aquarian moves for a ruling that "the Church's ownership in the Works may not be refuted." Defendant has no objection as to the Works identified in Dkt. #204-4 ("Copyright Registration Chart"). Defendant objects as to the application of this motion to trademark issues or unregistered proprietary works. The Court finds no evidentiary basis to issue a new ruling on this issue and expects the parties to follow the Court's prior rulings on this issue. DENIED.

1 3. Aquarian moves to exclude discussions of Plaintiff's purported health conditions under
2 FRE 403. The Court finds that it can weigh the relevance of health issues at trial on a
3 case-by-case basis without prejudicing itself. There is no jury in this bench trial.

4 DENIED.

5 4. Aquarian moves to exclude "any evidence not previously disclosed in discovery."
6 Defendant argues that both sides failed to properly disclose evidence and that Aquarian
7 has failed to demonstrate prejudice. The Court doubts Aquarian has been prejudiced by
8 the late disclosure of evidence given the trial continuances in this matter, and Aquarian
9 fails to discuss prejudice in any detail. The Court can rule on the admissibility of
10 individual exhibits at trial. DEFERRED.

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13 Having considered the briefing from the parties and the remainder of the record, the
14 Court hereby finds and ORDERS that Plaintiff Aquarian Foundation's Motions in Limine, Dkt.
15 #221, are GRANTED, DENIED, and DEFERRED as stated above.

16 DATED this 20th day of April, 2022.

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20 RICARDO S. MARTINEZ
21 CHIEF UNITED STATES DISTRICT JUDGE
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